

COPY

PATENT
Client-Matter No.: 66797-028
(P-IX 1613)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Group Art Unit: 1646
William D. Huse)
Serial No.: 08/471,622) Examiner: J. Ulm
Filed: June 5, 1995) Conf. No.: 8720
For: SURFACE EXPRESSION)
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Sir:

The owner, Applied Molecular Evolution, Inc., formerly Ixsys, Inc., of 100 percent interest in the above-identified application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 & 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 5,871,974.

The owner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

Inventor: William D. Huse
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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 & 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I am empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: July 8, 2003 By: William L. Respass
Signature

Typed name: William L. Respass
Title: Vice President and General Counsel

APPLIED MOLECULAR EVOLUTION, INC.
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Copy of an original Certificate of Amendment, and an authenticating certificate from the Secretary of State, State of Delaware, and a Recordation Form Cover Sheet.

Attorney Client-Matter No.:
66797-028 (P-IX 1613)

Serial No.: 08/471,622

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, VA 22313-1450, on July 9, 2003.

By 
David A. Gay, Reg. No. 39,200
July 9, 2003
Date of Signature